

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**IN THE MATTER OF JURY AND )**  
**NON-JURY TRIALS BEFORE THE ) TRIAL ORDER**  
**HONORABLE LAURIE SMITH CAMP )**

Judge Smith Camp has authorized Magistrate Judge Gossett to establish and publish a list of cases set for trial during the week in which they are listed. In light of the Eighth Circuit's decision<sup>1</sup> and mandate issued in *Marmo v. IBP*, Case No. 8:CV527,

**IT IS ORDERED:**

1. The following cases are no longer stayed and will be called for trial beginning **Tuesday, February 6, 2007**, before Judge Laurie Smith Camp and a jury, in the order listed:

|           |                  |
|-----------|------------------|
| 8:00CV529 | Larson v. IBP    |
| 8:00CV530 | Carter v. IBP    |
| 8:00CV531 | Modlin v. IBP    |
| 8:00CV532 | Twyford v. IBP   |
| 8:00CV533 | Modlin v. IBP    |
| 8:00CV534 | Frederick v. IBP |
| 8:00CV535 | Krause v. IBP    |
| 8:00CV536 | Wolf v. IBP      |
| 8:00CV537 | Krogh v. IBP     |
| 8:01CV027 | Shimitz v. IBP   |
| 8:01CV028 | Spirk v. IBP     |
| 8:02CV293 | Fish v. IBP      |

2. A status conference with the undersigned magistrate judge will be held on Thursday, **November 9, 2006 at 1:30 p.m.** in the chambers of the undersigned, Room 2210,

<sup>1</sup>*Marmo v. Tyson Fresh Meats, Inc.*, 457 F.3d 748 (8th Cir. 2006), rehearing and rehearing en banc denied Sept. 15, 2006.

Roman L. Hruska United States Courthouse, 111 South 18th Plaza, Omaha, Nebraska to discuss the preparation of the cases for trial and the possibility of settlement. At least one attorney for the plaintiffs and one attorney for the defendant shall attend the conference in person.

**DATED October 17, 2006.**

**BY THE COURT:**

**s/ F.A. Gossett  
United States Magistrate Judge**